

*REDEVELOPMENT PLAN
FOR THE
DOWNTOWN LAS VEGAS
REDEVELOPMENT AREA*

JANUARY 22, 1986

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Attachment No. 1 – Legal Description of Downtown Redevelopment Area
Attachment No. 2 – Downtown Las Vegas Redevelopment Area Map
Attachment No. 3 – Downtown Las Vegas Redevelopment Plan Map

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**REDEVELOPMENT PLAN
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ARTICLE I – INTRODUCTION

Section 100 – Legal Foundation

The Redevelopment Plan (“Plan”) for the Downtown Las Vegas Redevelopment Area (“Redevelopment Area”) consists of this text, the Legal Description of the Downtown Redevelopment Area (Attachment No. 1), the Downtown Las Vegas Development Area Map (Attachment No. 2), and the Downtown Las Vegas Redevelopment Plan Map (Attachment No. 3). This Plan has been prepared by the City of Las Vegas Downtown Redevelopment Agency (the “Agency”) pursuant to the Community Redevelopment Law of the State of Nevada (NRS Section 279.382 et. Seq.) and all applicable local laws and ordinances.

Any powers granted the Agency under state law, but which may not be specifically stated in this Plan, are not construed as a forfeiture of such powers by the Agency. The Agency expressly incorporates all provisions, powers and limitations of the Redevelopment Law into this Plan. It is further understood that State law, as it is presently constituted or shall be amended from time to time, shall take precedence to the extent applicable over any portion of the Plan that may come in conflict with State law.

The Redevelopment Plan conforms to the General Plan for the City of Las Vegas adopted by the City Council on January 16, 1985, including the General Plan Policy 1.2.8 which states that “it is policy to encourage the continuing development of downtown Las Vegas as the regional center for finance, business, governmental services, entertainment and recreation, while retaining the gaming and tourism vital to economic prosperity.”

This Plan provides the Agency with powers, duties, and obligations to implement and further the program generally formulated in this plan for the redevelopment, rehabilitation and revitalization of the Redevelopment Area. Because of the long-term nature of the Plan, and the need to retain the Agency flexibility to respond to market and economic conditions, property owners and developer interests and opportunities presented for redevelopment, this Plan does not present a precise plan or establish specific projects for the redevelopment, rehabilitation and revitalization of any area within the Redevelopment Area. Instead, this Plan presents a process and a basic framework within which specific plans will be presented, specific projects will be established and specific solutions will be proposed, and by which tools are provided to the Agency to fashion, develop and proceed with such specific plans, projects and solutions.

Section 110 – Redevelopment Plan Objectives

The purposes of the Community Redevelopment Law will be attained through, and the major objectives of this Plan are:

- A. The elimination of environmental deficiencies and blight in the Redevelopment Area, which constitute either social or economic liabilities or both and require redevelopment in the interests of the health, safety and general welfare of the people, including, among others, small and/or irregular lots, obsolete and aged building types, economic and social deficiencies, deteriorated public improvements, inadequate parking facilities, and inadequate utilization of land and public facilities;
- B. The assembly of land into parcels suitable for modern, integrated development and allowing for improved pedestrian and vehicular circulation in the Redevelopment Area;
- C. The replanning, redesign and development of undeveloped areas which are stagnant or improperly utilized;

- D. The strengthening of retail, office and other commercial and residential functions in the downtown area;
- E. The strengthening and diversification of economic base of the Redevelopment Area and the community by the installation of needed site improvements to stimulate new commercial expansion, employment and economic growth;
- F. The provision of adequate land for parking and open spaces;
- G. The establishment of financial mechanisms to assist in the upgrading and/or redevelopment of properties in the Redevelopment Area;
- H. The provisions of necessary public improvements to correct existing deficiencies;
- I. The establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Redevelopment Area;
- J. The minimization of conflict between pedestrian and automobile traffic and the improvement of transportation efficiency;
- K. The orderly development of the Redevelopment Area;
- L. The rehabilitation and preservation of historically and architecturally worthwhile structures and sites;
- M. The provision of an environment where a socially balanced community can work and live by providing jobs and housing for persons of varying social, economic and ethnic groups;
- N. The upgrading of the quality of life in the Redevelopment Area.

ARTICLE II – GENERAL DEFINITIONS

Section 200 – Definitions

The following definitions are used in this Plan unless otherwise indicated by the text:

- A. “Agency” means the City of Las Vegas Downtown Redevelopment Agency.
- B. “City” means the City of Las Vegas, Nevada.
- C. “Map” means the Redevelopment Plan Map.
- D. “State” means the State of Nevada.
- E. “Plan” means the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area.
- F. “Planning Commission” means the Planning Commissions of the City of Las Vegas.
- G. “Redevelopment Area” means the area included within the boundaries of the Downtown Las Vegas Redevelopment Area.
- H. “Redevelopment Law” means the Community Redevelopment Law of the State of Nevada.

ARTICLE III – REDEVELOPMENT AREA BOUNDARIES

Section 300 – Boundaries

The boundaries of the Redevelopment Area described in the “Legal Description of the Downtown Area,” attached hereto as Attachment No. 1 and incorporated herein by reference, and are shown on the “Downtown Las Vegas Redevelopment Area Map” attached hereto as Attachment No. 2 and incorporated herein by reference.

ARTICLE IV – PROPOSED REDEVELOPMENT ACTIONS

Section 400 – General Redevelopment Actions

The Agency proposes to eliminate and prevent the spread of blight and deterioration in the Redevelopment Area by:

- A. The acquisition of real property;
- B. The management of any property under the ownership and control of the agency;
- C. The demolition, clearance of land, installation of public improvements, and building and site preparation;
- D. The disposition and development of property for uses in accordance with this Plan;
- E. The rehabilitation, conservation or moving of structures or certain buildings and improvements by present owners, their successors and the Agency;
- F. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
- G. The assembly of adequate sites for the development and construction of retail, office, residential, hotel, tourism/recreational, industrial, public and other facilities;
- H. The provision of utilities, roads, streets, landscaping, parking facilities and other public improvements;
- I. The closure or other modification of streets; and
- J. The implementation of land use controls and regulations.

In the accomplishment of these purposes and actions, and in the implementation and furtherance of this Plan, the Agency is authorized to use all of the powers provided in this Plan and all the powers now or hereafter permitted by law.

Section 410 – Participation Opportunities

410.1 – Opportunities for Owners & Tenants

In accordance with this Plan and the rules for owner and tenant participation adopted by the Agency pursuant to this Plan and the Community Redevelopment Law, persons who are owners or tenants of real property in the Redevelopment Area shall be given a reasonable opportunity to participate in redevelopment by: (1) retaining all or a portion of their properties; (2) acquiring adjacent or other properties in the Redevelopment Area; (3) rehabilitation of existing buildings or improvements; (4) new development; or (5) selling their properties to the Agency and purchasing other properties in the Redevelopment Area.

410.2 – Rules for Participation Opportunities, Priorities, & Preferences

In order to provide opportunities to owners and tenants to participate in the redevelopment of the Redevelopment Area, the Agency shall promulgate rules for owner and tenant participation within the Redevelopment Area. If conflicts develop between the desires of participants for particular sites or land uses, the Agency is authorized to establish reasonable priorities and preferences among the owners and tenants. Some of the factors to be considered in establishing these priorities and preferences may include a participant's length of occupancy in the area, accommodation of as many participants as possible, similarity of land use, the necessity to assemble sites for integrated, modern development and conformity of a participant's proposal with the intent and objectives of this Plan.

In addition to opportunities for participation by individual persons and firms, participation shall be available for two or more persons, firms or institutions to join together in partnerships, corporations or other joint entities.

Participation opportunities shall necessarily be subject to and limited by such factors as: (1) the elimination and changing of some land uses; (2) the construction, widening or realignment of some streets; (3) the ability of participants to finance acquisition and development or rehabilitation in accordance with this Plan; (4) the reduction in the total number of individual parcels in the Redevelopment Area; and (5) the construction or expansion of public facilities.

410.3 – Participation Agreements

The Agency may require that, as a condition to participation in redevelopment and as a condition to Agency approval of such development or improvement, each participant enter into a binding agreement with the Agency by which the participant agrees to rehabilitate, develop, improve and use and maintain the property in conformance with this Plan and to be subject to the provisions hereof. In such agreement, participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties. Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Redevelopment Area.

In the event an owner or tenant participant fails or refuses to rehabilitate or develop and use and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency by any lawful means, including eminent domain, and sold or leased for rehabilitation or development in accordance with this Plan.

410.4 – Conforming Owners

The Agency may, at its sole and absolute discretion, determine that certain real property within the Redevelopment Area presently meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without a participation agreement with the Agency, provided such owner continues to operate, use and maintain the real property within the requirements of this Plan. However, a conforming owner shall be required by the Agency to enter into a participation agreement with the Agency in the event that such owner desires to: (a) construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming; or (b) acquire additional property within the Redevelopment Area.

Section 420 – Cooperation with Public Bodies

Every public body is authorized by State law to aid and cooperate, with or without consideration, in the planning, undertaking, construction or operation of this redevelopment project. Any public agency, with or without consideration, may:

- A. Dedicate, sell, convey or lease any of its property to the Agency;
- B. Cause parks, playgrounds, recreational, community, educational, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished adjacent to or in connection with redevelopment projects;
- C. Furnish, dedicate, close, pave, install, grade, regrade, plan or replan streets, roadways, alleys, sidewalks or other places which it is otherwise empowered to undertake;
- D. Plan or replan, zone or rezone any part of such area and make any legal exceptions from building regulations and ordinances;

- E. Enter into agreements with the Federal Government respecting actions to be taken by such public body pursuant to any of the powers granted by NRS 279.382 to 279.680, inclusive; and
- F. Purchase or legally invest in any of the bonds of the Agency.

The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency will, however, seek the cooperation of all public bodies which own or intend to acquire property in the Redevelopment Area. The Agency shall impose on all public bodies the planning and development controls contained in the Plan to insure that present uses and any future development by public bodies will conform to the requirements of this Plan. Any public body which owns or leases property in the Redevelopment Area will be afforded all the privileges of owner and tenant participation, if such public body is willing to enter into a participation agreement with the Agency. All plans for development of property in the Redevelopment Area by a public body shall be subject to Agency approval.

In any year during which it owns property in the Redevelopment Area, the Agency is authorized, but not required, to pay to any public agency which would have levied a tax upon such property, had it not been exempt, an amount of money in lieu of taxes.

Section 430 – Acquisition of Property

430.1 – Real Property

Except as specifically exempted herein, the Agency may acquire, but is not required to acquire, all real property located in the Redevelopment Area, by gift, grant, bequest, devise, exchange, purchase, eminent domain or any other means authorized by law. It is the public interest and is necessary, in order to eliminate the conditions requiring redevelopment and in order to execute this Plan, for the power of eminent domain to be employed by the Agency to acquire real property in the Redevelopment Area, which cannot be acquired by gift, devise, exchange, purchase or other lawful method.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performs under the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee, including, specifically, any lease hold interest.

Without the consent of an owner or owners, the Agency may not acquire any real property on which an existing building is to be continued on its present site and in its present form and use unless (1) such building requires structural alterations, improvement, modernization or rehabilitation, or (2) the site or lot on which the building is situated requires modification in size, shape or use, or (3) it is necessary to impose upon such property any of the standards, restrictions and controls established pursuant to the Plan and the owner fails or refuses to execute a participation agreement in accordance with the provisions of this Plan.

The Agency is not authorized to acquire real property owned by public bodies which do not consent to such acquisition. The Agency is authorized, however, to acquire public property transferred to private ownership before redevelopment of the Redevelopment Area is comprised unless the Agency and the private owner enter into a participation agreement and the owner completes his responsibilities under the participation agreement.

430.2 – Personal Property

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Redevelopment Area by any lawful means, including eminent domain.

Section 440 – Property Management

During such time as property, if any, in the Redevelopment Area, is owned by the Agency, such property shall be under the management, maintenance, and control of the Agency. Such property may be rented or leased by the Agency, pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

Section 450 – Relocation of Persons (Including Individuals and Families), Business Concerns and Others Displaced by the Project

The Agency shall provide assistance for relocation and shall make all of the payments required by Chapter 342 of NRS for programs or projects for which Federal financial assistance is received to pay for all or any part of the cost of that program or project. The Agency may make such other payments as may be appropriate and for which funds are available.

Section 460 – Demolition, Clearance, Public Improvements, Building and Site Preparation

460.1 – Demolition and Clearance

The Agency is authorized to demolish or cause to be demolished buildings, structures or other improvements from any real property in the Redevelopment Area owned by the Agency as necessary to carry out the objectives of this Plan, and to clear or cause to be cleared such real property.

460.2 – Public Improvements

To the extent and in the manner authorized by law, the Agency is authorized to install and construct or to cause to be installed and constructed the public improvements and public utilities (within or outside the Redevelopment Area) necessary to carry out the Plan. Such public improvements include, but are not limited to, overpasses or underpasses, bridges, streets, curbs, gutters, sidewalks, street lights, sewers, storm drains, traffic signals, electrical distribution systems, parks, plazas, playgrounds, motor vehicle parking facilities, landscaped areas, street furnishings and transportation facilities.

460.3 – Building & Site Preparation

The Agency is authorized to prepare or cause to be prepared as building sites any real property in the Redevelopment Area whether owned by the Agency or not. The Agency is also authorized (to the extent and in such manner permitted by law) to construct foundations, platforms and other structural forms necessary for the provision or utilization of air rights, sites for buildings to be used for residential, commercial, retail, tourist, recreational, public and other uses provided in the Plan.

Section 470 – Disposition & Development of Property

470.1 – Real Property Disposition and Development

470.1.1 – General

For the purpose of this Plan, the Agency is authorized to sell, lease, exchange, cause to be subdivided, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any real property acquired.

To the extent permitted by law, the Agency is authorized to dispose of real property by sale or lease by negotiation without public bidding.

Real property acquired by the Agency may be conveyed by the Agency without charge to the City and where beneficial to the redevelopment project, without charge to any other public body.

All real property acquired by the Agency in the Redevelopment Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan, except property conveyed by the Agency to the City or other public bodies. Any such lease or sale must be conditioned on the redevelopment and use of the property in conformity with this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of the property for speculative purposes and to insure developments are carried out pursuant to this Plan.

All purchasers or lessees of property shall be made obligated to use the property for the purposes designated in this plan to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

470.1.2 – Purchase and Development Documents

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency, as well as all property subject to participation agreements, shall be made subject to the provisions of this Plan by leases, deeds, contracts, agreements, declarations or restrictions, provisions of the zoning ordinance, conditional use permits or other means. Where appropriate, as determined by the Agency, such documents or portions thereof shall be recorded in the Office of the Recorder of the County.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention or use of the property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

The leases, deeds, contracts, agreements and declarations or restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes or any other provision necessary to carry out this Plan.

All property in the Redevelopment Area is hereby subject to the restriction that there shall be no discrimination or segregation based on race, sex, color, religion, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Redevelopment Area. All property sold, leased, conveyed, or subject to a participation agreement shall be made expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Redevelopment Area shall contain such nondiscrimination and non-segregation clauses as are required by law.

470.1.3 – Development by the Agency

To the extent and in the manner now or hereafter permitted by law the Agency is authorized to pay for, develop or construct any publicly-owned or privately-owned building, facility or other improvement either within or without the Redevelopment Area, except for a residential facility, for itself or for any public body or entity, which buildings, facilities, structures or other improvements are or would be of benefit to the Redevelopment Area, and may acquire or pay for the land required therefore.

If the value of that land or the cost of the construction of that building, facility, structure or other improvement, or the installation of any improvement has been, or will be, paid or provided for initially by the City or other governmental entity, the Agency may enter into a contract with that City or governmental entity for all or part of the value of that land or of the cost of the building, facility or structure or other improvement, or both, by periodic payments over a period of years. The obligation of the Agency under that contract constitutes an indebtedness of the Agency which may be payable out of taxes levied and allocated to the Agency under paragraph (b) of Subsection One of NRS 279.676 or out of any other available money.

470.1.4 – Development Plans

All development plans shall be submitted to the Agency for approval and architectural review. The Agency is hereby authorized to assign responsibility for the review and approval of development plans to the staff of the Redevelopment Agency should it so choose. All development in the Redevelopment Area must conform to this Plan and all applicable Federal, State and local laws, and to such architectural and design review standards as the City and/or Redevelopment Agency may subsequently establish, and must receive the approval of the appropriate public agencies.

During the period of development in the Redevelopment Area, the Agency shall insure that the provisions of this Plan and of other documents formulated pursuant to this Plan are being observed, and that development in the Redevelopment Area is proceeding in accordance with disposition and development documents and time schedules.

470.2 – Personal Property Disposition

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber or otherwise dispose of personal property which is acquired by the Agency.

Section 480 – Rehabilitation, Conservation & Moving of Structures

480.1 – Rehabilitation & Conservation

The Agency is authorized to rehabilitate or cause to be rehabilitated and conserved any building or structure in the Redevelopment Area owned by the Agency. The Agency is also authorized and directed to advise, encourage, and assist in the rehabilitation or conservation of property in the Redevelopment Area not owned by the Agency. The Agency is also authorized to acquire, restore, rehabilitate, move and conserve buildings and/or sites of historic or architectural significance.

480.2 – Moving of Structures

As necessary in carrying out this Plan, the Agency is authorized to move or cause to be moved any standard structure or building or any structure or building which can be rehabilitated to a location within or outside the Redevelopment Area.

Section 490 – Development of Transportation Concepts and Facilities

Since transportation is essential to the Redevelopment Area, the Agency, in cooperation with the City, and (as appropriate) with other entities, may explore concepts and develop facilities to increase transportation efficiency. Possible concepts are bridging, decking or depression of streets, realignment or de-emphasis of streets, establishment of superblocks, elimination of pedestrian-vehicular conflicts, and a coordinated short and long range system of alternate modes of transportation, such as the “people mover” type system.

Parking sites and facilities may be established.

The Agency shall review all design plans in order to determine that easements, rights-of-way, station locations and development linkages can be effectuated both internally and externally of the Redevelopment Area, in order to assure continuous and utmost efficiency in development.

Article V – Uses Permitted in the Redevelopment Area

Section 500 – Redevelopment Plan Map

The “Redevelopment Plan Map,” which appears in Attachment No. 3 of this Plan, illustrates the location of the Redevelopment Area boundaries, layout of the principal streets within the Redevelopment Area, and the proposed land uses to be permitted in the Redevelopment Area, for all land – public, semi-public and private. All development shall conform to the requirements of applicable State statutes and local codes as they now exist or are hereafter amended.

Section 510 – Designated Land Uses

510.1 – Low Density Residential

The area shown on the Map as “Low Density Residential” is to be developed primarily but not exclusively for residential uses, with a range of dwelling unit density from three (3) to six (6) dwelling units per area. All such uses shall conform to the provisions of this Plan and to the City codes and ordinances in effect from time to time.

510.2 – Medium Low Density Residential

The area shown on the Map as “Medium Low Density Residential” is to be developed primarily but not exclusively for residential uses, with a range of dwelling unit density from six (6) to twelve (12) dwelling units per acre. All such uses shall conform to the provisions of this Plan and to the City codes and ordinances in effect from time to time.

510.3 – Medium Density Residential

The area shown on the Map as “Medium Density Residential” is to be developed primarily but not exclusively for residential uses, with a range of dwelling unit density from twelve (12) to twenty (20) dwelling units per acre. All such uses shall conform to the provisions of this Plan and to the City codes and ordinances in effect from time to time.

510.4 – High Density Residential

The area shown on the Map as “High Density Residential” is to be developed primarily but not exclusively for residential uses, with a range of dwelling unit density of twenty (20) and greater dwelling units per acre. All such uses shall conform to the provisions of this Plan and to the City codes and ordinances in effect from time to time.

510.5 - General Commercial

“General Commercial” uses as shown on the Map include, but are not limited to, retail, service, wholesale, office and other uses of a more intense character that serve primarily local community patrons and commonly include outdoor storage or display of products or parts, noise, lighting or other characteristics not generally considered compatible with adjoining residential uses without significant transition. In addition, General Commercial areas show Service Commercial uses.

All such uses shall conform to the provisions of this Plan and to the City codes and ordinances in effect from time to time.

510.6 – Service Commercial

“Service Commercial” uses as shown on the Map include, but are not limited to, retail, service, office and other uses that serve primarily local community patrons and that do not include general commercial characteristics. In addition, the Service Commercial areas allow High Density Residential uses. All such uses shall conform to the provisions of this Plan and to the City codes and ordinances in effect from time to time.

510.7 – Tourist Commercial

“Tourist Commercial” uses as shown on the Map include, but are not limited to, retail, entertainment, temporary residential and other uses which primarily derive revenue from or are oriented toward visitors to the community. In addition, Tourist Commercial areas allow General Commercial uses. All such uses shall conform to the provisions of this Plan and to the City codes and ordinances in effect from time to time.

510.8 – Employment

“Employment” uses as shown on the Map include but are not limited to, manufacturing, industrial, warehousing and other uses and accessory structures and facilities. In addition, Employment areas allow General Commercial uses. All such uses shall conform to the provisions of this Plan and to the City codes and ordinances in effect from time to time.

510.9 – Parks

The area shown on the Map as “Parks” is to be developed primarily, but not exclusively, as public or private outdoor recreational area characterized by open space, playgrounds, ballfields and other such uses.

510.10 – Schools

The area shown on the Map as “Schools” is to be developed primarily, but not exclusively, as public or private educational institution including accessory school facilities such as recreational areas and parking. All such uses shall conform to the provisions of this Plan and to the City codes and ordinances in effect from time to time.

510.11 - Public Facilities

The area shown on the Map as “Public Facilities” is to be developed primarily but not exclusively for Federal, State, City, County, School District or other publicly-owned and occupied structures, including accessory parking and other uses. All such uses shall conform to the provisions of this Plan and to the City codes and ordinances in effect from time to time.

510.12 – Other Public, Semi-Public, Institutional & Nonprofit Uses

In any area shown on the Redevelopment Plan Map, the Agency is authorized to permit the maintenance, establishment or enlargement of public, semi-public, institutional or nonprofit uses, including park and recreational facilities, libraries, educational, fraternal, employee, philanthropic, religious and charitable institutions, utilities, railroad rights-of-way and facilities of other similar associations or organizations. All such uses shall, to the extent possible, conform to the provisions of this Plan applicable to the uses in the specific area involved.

The Agency may impose such other reasonable requirements and/or restrictions as may be necessary to protect the development and use of the Redevelopment Area.

510.13 – Public Rights-of-Way

The principal streets and highway in the Redevelopment Area are shown on the Map and include, but are not limited to:

North-South Streets

Main Street
Las Vegas Boulevard
Maryland Parkway
Highland Drive
Eastern Avenue

East-West Streets

Washington Avenue
Bonanza Road
Fremont Street
Charleston Boulevard
Sahara Avenue

These streets and any other streets and alleys in the Redevelopment Area may be widened, altered, abandoned, or closed as necessary for proper development of the Area. Additional public streets, alleys and easements may be created in the Redevelopment Area as needed for proper development.

Section 520 – General Controls & Limitations

All real property in the Redevelopment Area is hereby made subject to the controls and requirements of this Plan. No real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

520.1 – Construction

All new construction and/or rehabilitation of existing structures within the Redevelopment Area shall comply with all applicable State and local laws in effect from time to time. In addition to applicable codes, ordinances or other requirements governing development in the Redevelopment Area, additional specific performance and development standards may be adopted by the Agency to control and direct redevelopment in the Redevelopment Area.

The Agency shall require that, as feasible, adequate landscaping and screening be provided to create a buffer between those areas remaining in residential use during implementation of the Plan, and those areas designated for commercial and employment uses.

520.2 – Rehabilitation & Retention of Properties

Any existing structure within the Redevelopment Area approved by the Agency for retention and rehabilitation shall be repaired, altered, reconstructed or rehabilitated in such a manner that it will be safe and sound in all physical respects and be attractive in appearance and not detrimental to the surrounding uses.

520.3 – Limitation on the Number of Buildings

The number of buildings in the Redevelopment Area shall be regulated by the Agency in accordance with guidelines to be established.

520.4 – Number of Dwelling Units

The number of dwelling units presently in the Redevelopment Area is approximately 13,833.

520.5 – Existing Non-Conforming Uses

The Agency is authorized to permit an existing use to remain in an existing building in good condition, which use does not conform to the provisions of the Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Redevelopment Area. The owner of such a property must be willing to enter into a participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Redevelopment.

The Agency may authorize additions, alterations, repairs or other improvements in the Redevelopment Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Redevelopment Area, where, in the determination of the Agency, such improvements would be compatible as interim uses with surrounding uses and development.

520.6 – Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Redevelopment Area for interim uses that are not in conformity with the uses permitted in this Plan.

520.7 – Limitation on Type, Size & Height of Buildings

Except as set forth in other sections of this Plan, the type, size and height of buildings shall be as limited by applicable Federal, State and local statutes, ordinances and regulations.

520.8 – Open Spaces, Landscaping, Light, Air & Privacy

The approximate amount of open space to be provided in the Redevelopment Area is the total of all areas which will be in the public rights-of-way, the public ground, the space around buildings and all other outdoor areas not permitted to be covered by buildings. Landscaping plans shall be submitted to the Agency for review and approval to insure optimum use of living plan material in the Redevelopment Area. The Agency is hereby authorized to assign responsibility for the review and approval of landscaping plans to the staff of the Agency, should it so choose.

Sufficient space shall be maintained between buildings in all areas to provide adequate light, air and privacy.

520.9 – Signs

All signs shall conform at a minimum to the City sign ordinances as they now exist or are hereafter amended, and to such other sign standards as the Agency and/or City may establish. Design of all new signs shall be submitted to the Agency for review and approval before erection. The Agency is hereby authorized to assign responsibility for the review and approval of all new signs to the staff of the Agency, should it so choose.

520.10 – Utilities

The Agency shall require that all utilities be placed underground when physically and economically feasible, as determined by the Agency.

520.11 – Incompatible Uses

No use or structure which by reason of appearance, traffic, smoke, glare, noise, odor or similar factors would be incompatible with the surrounding areas or structures shall be permitted in any part of the Redevelopment Area.

520.12 - Subdivision of Parcels

No parcel in the Redevelopment Area, including any parcel retained by a participant, shall be subdivided without the approval of the Agency. The Agency is hereby authorized to assign responsibility for the subdivision of parcels to the staff of the Agency should it so choose.

520.13 – Minor Variations

Under exceptional circumstances, the Agency is authorized to permit a variation from the limits, restrictions and controls established by this Plan. In order to permit such variation, the Agency must determine that:

- A. The application of certain provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this plan;
- B. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions and controls;
- C. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and

D. Permitting a variation will not be contrary to the objectives of this Plan or of the General Plan of the City.

No variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of this Plan. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public peace, health, safety or welfare and to assure compliance with the purposes of this Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under city codes and ordinances.

520.14 – Nondiscrimination & Nonsegregation

There shall be no discrimination or segregation based on race, color, sex, age, creed, religion, national origin or ancestry permitted in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of property in the Redevelopment Area.

520.15 – Design for Development

Within the limits, restrictions and controls established in this Plan, the Agency is authorized to establish heights of buildings, land coverage, setback requirements, design criteria, traffic circulation, traffic access and other development and design controls necessary for proper development of both private and public areas within the Redevelopment Area.

No new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired or rehabilitated except in accordance with this Plan and any such controls, and, in the case of property which is the subject of a disposition and development or participation agreement with the Agency, and any other property, in the discretion of the Agency, in accordance with architectural, landscape and site plans submitted to and approved in writing by the Agency. One of the objectives of

this Plan is to create an attractive and pleasant environment in the Redevelopment Area. Therefore, such plans shall give consideration to good design, open space and other amenities to enhance the aesthetic quality of the Redevelopment Area. The Agency shall not approve any plans that do not comply with this Plan. The Agency is hereby authorized to assign responsibility for the review and approval of such plans to the staff of the Agency should it so choose.

520.16 – Building Permits

No permits shall be issued for the construction of any new building or any construction of an existing building in the Redevelopment Area from the date of adoption of this Plan until the application for such permit has been processed in the manner provided. Any permit that is issued hereunder must be in conformance with the provisions and intent of this Plan.

Upon receipt of such an application for permit, the City shall request the staff of the Agency to review the application to determine what effect, if any, the issuance thereof would have upon the Plan for said Redevelopment Area. Within twenty-five days (25) thereafter, the staff of the Agency shall file with the City a written report setting forth its findings of fact, including but not limited to, the following:

- A. Whether the applicant has entered into an agreement with the Agency for the development of said improvements and has previously submitted architectural, landscape and site plans to the Agency; and,
- B. Whether the proposed improvements would be compatible with the standards and other requirements set forth in the Plan; and,
- C. Whether the modifications, if any, in the proposed improvements would be necessary in order to meet the requirements of the Plan.

After receipt of said report or after said twenty-five (25) day period, whichever occurs first, the City may begin plans check process for the issuance of the permit with conditions; or shall withhold the issuance of the permit if the Agency staff finds that the proposed improvements do not meet the requirements of the Plan and the proposed design of the Agency. Within five days (5) after allowing or withholding issuance of the permit, the City shall notify by certified mail the applicant and the Agency staff of its decision.

No new improvement shall be constructed and/or modified unless resubmitted to the Agency, and no existing improvement shall be substantially modified, altered, repaired or rehabilitated except in accordance with architectural, landscape and site plans submitted to and approved in writing by the Agency.

ARTICLE VI – METHODS OF FINANCING THE PROJECT

Section 600 – General Description of the Proposed Financing Method

The Agency is authorized to finance projects within the Redevelopment Area with financial assistance from the City, State of Nevada, Federal Government, tax increment funds, interest income, Agency bonds, donations, loans from private financial institutions, the lease or sale of Agency-owned property or any other available source, public or private.

The Agency is also authorized to obtain advances, borrow funds and create indebtedness in carrying out this Plan. The principal and interest on such advances, funds and indebtedness may be paid from tax increments or any other funds available to the Agency. Advances and loans for survey and planning and for the operating capital for administration of this Redevelopment Area may be provided by the city until adequate tax increment or other funds are available, or sufficiently assured, to repay the advances and loans and to permit borrowing adequate working capital from sources other than the

City. The city, as it is able, may also supply additional assistance through City loans and grants for various public facilities.

The City or any other public agency may expend money to assist the Agency in carrying out this Project.

Section 610 – Tax Increment Funds

All ad valorem taxes levied upon taxable property within the Redevelopment Area each year, by or for the benefit of the State of Nevada, the County of Clark, the City of Las Vegas, any district or any other public corporation (hereinafter sometimes called “taxing agencies”) after the effective date of the ordinance approving this Plan, shall be divided as follows:

- A. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of the taxing agencies upon the total sum of the assessed value of the taxable property in the Redevelopment Area as shown upon the assessment roll used in connection with the taxation of the property by the taxing agency, last equalized before the effective date of the ordinance approving this Plan, must be allocated to and when collected must be paid into the funds of the respective taxing agencies as taxes by or for such taxing agencies on all other property are paid. To allocate taxes levied by or for any taxing agency or agencies which did not include the territory in the

Redevelopment Area on the effective date of the ordinance approving this Plan but to which the territory has been annexed or otherwise included after the effective date, the assessment roll of the County of Clark least equalized on the effective date of the ordinance must be used in determining the assessed valuation of the taxable property in the Project on the effective date.

B. That portion of the levied taxes each year in excess of that amount must be allocated to and when collected must be paid into a special fund of the Agency to pay the principal of and interest on loans, money advanced to, or indebtedness, whether funded, refunded, assumed or otherwise incurred by the Agency to finance or refinance, in whole or in part, the Project. Unless the total assessed valuation of the taxable property in an Area exceeds the total assessed value of the taxable property in the Area as shown by the last equalized assessment roll referred to in subdivision "A" hereof, all of the taxes levied and collected upon the taxable property in the Area must be paid into the funds of the respective taxing agencies. When such loans, advances and indebtedness, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Project must be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

The portion of taxes mentioned in subdivision "B" above are hereby irrevocably pledged for the payment of the principal and interest on the advance of money, or making of loans or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance the Project, in whole or in part. The Agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out the Project.

For the purposes of this section, the assessment roll last equalized before the effective date of the ordinance approving the Plan is the assessment roll in existence on March 15th immediately preceding the effective date of such ordinance.

The Agency is authorized to issue bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

The bonds and other obligations of the Agency are not a debt of the City or the State, nor are any of its political subdivisions liable for them, not in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agency, and such bonds and other obligations shall so state on their face. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

Section 620 – Other Loans & Grants

Any other loans, grants, guarantees or financial assistance from the United States, the State of Nevada or any other public or private source will be utilized if available.

ARTICLE VII – ACTIONS BY THE CITY

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Actions by the City shall include, but not be limited to, the following:

- A. Institution and completion of proceedings for opening, closing, vacating, widening or changing the grades of streets, alleys and other public rights-of-way and for other necessary modifications of the streets, the street layout and other public rights-of-way in the Redevelopment Area. Such action by the City shall include the requirement of abandonment, removal and relocation by the public utility companies of their operations of public rights-of-way as appropriate to carry out this Plan, provided that nothing in this Plan shall be constructed to require the cost of such abandonment, removal and relocation to be borne by others than those legally required to bear such cost;

- B. Institution and completion of proceedings necessary for changes and improvements in private and publicly-owned public utilities within or affecting the Redevelopment Area;
- C. Revision of zoning (if necessary) within the Redevelopment Area to permit the land uses and development authorized by this Plan;
- D. Imposition wherever necessary (by conditional use permits or other means) of appropriate controls within the limits of this Plan upon parcels in the Redevelopment Area to ensure their proper development and use;
- E. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency shall develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Redevelopment Area throughout the duration of this Plan;
- F. Preservation of historical sites and buildings;
- G. Performance of the above actions and of all other functions and services relating to public peace, health, safety and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Redevelopment Area to be commenced and carried to completion without unnecessary delays; and
- H. The undertaking and completing of any other proceedings necessary to carry out the Redevelopment Project.

The foregoing actions to be taken by the City do not necessarily involve or constitute any commitment for financial outlays by the City.

ARTICLE VIII - ENFORCEMENT

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the City.

The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by court litigation instituted by either the Agency or the city. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners.

ARTICLE IX – DURATION OF THIS PLAN

The provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, for forty (40) years from the date of adoption of this Plan by the City Council.

ARTICLE X – PROCEDURE FOR AMENDMENT

This Plan may be amended by means of the procedure established in NRS Section 279.608 or by any other procedure hereafter established by law.

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Rev.1-22-86

Attachments

ATTACHMENT 1

LEGAL DESCRIPTION OF DOWNTOWN REDEVELOPMENT AREA

BEGINNING at the intersection of the centerline of Charleston Boulevard and the Westerly boundary of Interstate Highway I-15; thence Northerly along the Westerly boundary of Interstate Highway I-15 to a line that is 1284 feet North of the centerline of Alta Drive; thence Westerly along said line to a line that is 310 feet East of the Centerline of Highland Drive; thence Northerly along said line to the centerline of Mineral Avenue; thence Westerly along the centerline of Mineral Avenue to the centerline of Highland Drive; thence Northerly along the centerline of Highland Drive to the centerline of McWilliams Avenue; thence Easterly along the centerline of McWilliams Avenue to the Westerly boundary of Interstate Highway I-15; thence Northeasterly along the Westerly boundary of Interstate Highway I-15 to the centerline of Washington Avenue; thence Easterly along the centerline of Washington Avenue to the centerline of Sagman Street; thence Southerly along the centerline of Sagman Street to the centerline of Maryland Parkway; thence Westerly and Southerly along the centerline of Maryland Parkway to the centerline of Bonanza Road; thence Easterly along the centerline of Bonanza Road to the centerline of Bruce Street; thence Southerly along the centerline of Bruce Street to the centerline of Ogden Avenue; thence Easterly along the centerline of Ogden Avenue to the centerline of 18th Street; thence Southerly along the centerline of 18th Street to the centerline of Sunrise Avenue; thence Easterly along the centerline of Sunrise Avenue to the centerline of Eastern Avenue; thence Southerly along the centerline of Eastern Avenue and 25th Street to the Southwesterly boundary of Fremont Street (U.S. Highway Nos. 93 – 95 466); thence Southeasterly along the Southwesterly boundary of Fremont Street to the centerline of Atlantic Street; thence Southerly along the centerline of Atlantic Street to the centerline of Olive Street; thence Westerly along the centerline of Olive Street to the centerline of Russell Avenue; thence Northwesterly along the centerline of Russell Avenue to the

centerline of Euclid Avenue; thence Northerly along the centerline of Euclid Avenue to a line that is 350 feet Southerly of the centerline of Charleston Boulevard; thence Westerly along said line a distance of 128 feet; thence Northerly a distance of 115 feet to a line that is 235 feet Southerly of the centerline of Charleston Boulevard; thence Westerly along said line to the centerline of Burnham Avenue; Thence Southerly along the centerline of Burnham Avenue to a line that is 1214 feet South of the centerline of Charleston Boulevard; thence Westerly along said line to a line that is 580 feet East of the Easterly Boundary of HILLSIDE TERRACE (a recorded subdivision); thence Northerly along said line a distance of 130 feet to a line that is 1084 feet South of the centerline of Charleston Boulevard; thence Westerly along said line to the Easterly Boundary of said HILLSIDE TERRACE; thence Northerly along the Easterly boundary of HILLSIDE TERRACE and CHARLESTON SQUARE TRACT No. 3 (a recorded subdivision) to the South line of Lot 2, Block 1 of the CHARLESTON SQUARE TRACT No. 3; thence Westerly along said South line of Lot 2 to the centerline of 17th Street; thence Northerly along the centerline of 17th Street to the centerline of the East – West alley in Block 1 of CHARLESTON square tract No. 4; thence Westerly along the centerline of said East – West alley to the centerline of the North - South alley in said Block 1; thence Northerly along the centerline of said North – South alley to the South line of Lot 1 of CHARLESTON SQUARE TRACT No. 2 (a recorded subdivision); thence Westerly along said South line of Lot 1 to the centerline of Hillside Place; thence Southerly along the centerline of Hillside Place to the centerline of the East – West alley in Block 1 of CHARLESTON SQUARE TRACT No. 1 (a recorded subdivision); thence Westerly along the centerline of said East – West alley to the centerline of Thelma Lane; thence Northwesterly along said centerline to the centerline of Chapman Drive; thence Northerly along the centerline of Chapman Drive to the South line of Lot 1, Block 2 of said CHARLESTON SQUARE TRACT No. 1; thence Westerly along said South line of Lot 1 to the West line of said Lot 1; thence Northerly along said West line of Lot 1 to the South line of Lot 1, Block 4 of HUNTRIDGE SUBDIVISION TRACT No. 3 AMENDED (a recorded subdivision); thence Westerly along said South line of Lot 1 to the centerline of 15th Street; thence Southerly along the centerline of 15th Street to the centerline of the East – West alley in Block 3 of said HUNTRIDGE SUBDIVISION

TRACT No. 3 AMENDED; thence Westerly along the centerline of said East - West alley to the centerline of the North – South alley in Block 25 of said HUNTRIDGE SUBDIVISION TRACT No. 3 AMENDED; thence Southerly along the centerline of said North – South Alley to the centerline of the most Southerly East – West alley in said Block 25; thence Westerly along the centerline of said East – West alley and the centerline of the East – West alley in Block 24 of HUNTRIDGE SUBDIVISION TRACT No. 2 AMENDED to the centerline of the North – South alley in said Block 24; thence Northerly along the centerline of said North –South alley to the South line of Lot 1, Block 2 of said HUNTRIDGE SUBDIVISION TRACT No. 2 AMENDED; thence Westerly along said South line of Lot 1 and the North lines of Lots 17, 16, 15, 14, 13, 12, and 11, Block 2 of HUNTRIDGE SUBDIVISION TRACT No. 1 (a recorded subdivision) to the centerline of 10th Street; thence Northerly along the centerline of 10th Street to the South line of Lot , block of said HUNTRIDGE SUBDIVISION TRACT No. 1; thence Westerly along said South line of Lot 1 to the East line of Lot 1, Block 1 of VEGA VERDE ADD; thence South along said East line of Lot 1 to the South line of said Lot 1; thence Westerly along the south lines of Lot 1 and Lots, 2, 3, 4, 5, 6, 7, 8 and the Westerly prolongation thereof to the centerline of 8th Street; thence Southerly along the centerline of 8th Street to a line that is 235 feet South of the centerline of Charleston Boulevard; thence Westerly along said line a distance of 200 feet; thence Southerly 190 feet to a line that is 425 feet South of the centerline of Charleston Boulevard; thence Westerly along said line a distance of 407 feet; thence Northerly 87 feet to a line that is 338 feed South of the centerline of Charleston Boulevard; thence Westerly along said line a distance of 37 feet; thence Northerly a distance of 13 feet to a line that is 325 feed South of the centerline of Charleston Boulevard; thence Westerly along said line to the centerline of 6th Street; thence Southerly along the centerline of 6th Street to the centerline of Park Paseo; thence Westerly along the centerline of Park Paseo to the West Line of the Lot “J” of PARK PLACE ADDITION (a recorded subdivision); thence Southerly along said West line and along the West line of Block 2 of DESERT PARK No. 3 (a recorded subdivision) to the North line of PARADISE GROVE (a recorded subdivision); thence Westerly along said North line of PARADISE GROVE to the Westerly boundary of said PARADISE GROVE; thence Southwesterly and Southerly

along said Westerly boundary of PARADISE GROVE to the centerline of Oakey Boulevard; thence Easterly along the centerline of Oakey Boulevard to the centerline of Santa Paula Drive to the centerline of St. Louis Street; thence Westerly along the centerline of said St. Louis Street to the North – South centerline of Block 19 of PARADISE VILLAGE TRACT No. 1 (a recorded subdivision); thence Southerly along said North – South centerline to the centerline of Sahara Avenue; thence Westerly along the centerline of Sahara Avenue to the centerline of Industrial Road; thence Northerly along the centerline of Industrial Road to the centerline of Wyoming Avenue; ;thence Westerly along the centerline of Wyoming Avenue to the Westerly right-of-way line of the Union Pacific Railroad; thence Northeasterly along said Westerly right-of-way line to the centerline of Charleston Boulevard; thence Westerly along the centerline of Charleston Boulevard to the POINT OF BEGINNING.

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1-22-86